

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
U.S. DISTRICT COURT DIVISION

FILED
CHARLOTTE, NC
JUL 15 2015

US District Court
Western District of NC

UNITED STATES OF AMERICA,)
Plaintiff,)
vs.)
TONIA SHONDREA RUTLEDGE,)
Defendant,)
and)
HOSPICE CARE OF SUMTER, LLC,)
Garnishee.)

CASE NO. DNCW3:00CR46-2
(Financial Litigation Unit)

CONSENT ORDER OF GARNISHMENT

The parties, the United States of America, Defendant, Tonia Shondrea Rutledge, and Garnishee, Hospice Care of Sumter, LLL, agree and stipulate as follows:

1. Defendant is Tonia Shondrea Rutledge, Social Security Number **REDACTED**

whose last known address is:

REDACTED

2. A criminal judgment was entered in Case No. DNCW3:00CR46-2 in the Western District of North Carolina against Defendant in this action where Tonia Shondrea Rutledge was ordered to pay an assessment and restitution in the amount of \$723,861.37. The parties agree and stipulate that the total balance due in this case is \$719,373.97, as of June 25, 2015.

3. Garnishee has in its possession, custody or control property of Defendant in the form of wages paid to Defendant.

4. Defendant waives service of an application for a writ of continuing garnishment as required by 28 U.S.C. § 3205, and further waives her right to a hearing under said statute and any other process to which Defendant may be entitled under 28 U.S.C. § 3205, and further

waives his/her right to a hearing under said statute and any other process to which Defendant may be entitled under 28 U.S.C. § 3001. et. seq.

5. Garnishee waives service of an application for a writ of continuing garnishment as required by 28 U.S.C. § 3205, and further waives its right to answer and waives being heard in this matter and any other process to which the garnishee may be entitled under 28 U.S.C. § 3001. et. seq.

6. Defendant agrees and stipulates that her wages are subject to garnishment under 28 U.S.C. § 3205 and expressly agrees and stipulates that the entry of a Consent Order in Garnishment is proper.

7. Garnishee agrees and stipulates that they are prohibited from discharging Defendant from employment by reason of the fact that her earnings have been subject to garnishment from any one indebtedness. See 15 U.S.C. § 1674.

8. The parties agree and stipulate to the entry of a Consent Order of Continuing Garnishment against the non-exempt wages of Defendant.

9. It is expressly agreed and stipulated to by the parties that the Garnishee will pay the United States 12% of Defendant's net earnings which remain after all deductions required by law have been withheld and after the existing North Carolina State tax garnishment has been applied, and 100% of all 1099 payments.

10. It is expressly agreed and stipulated to by the parties that the Government may, after the expiration of six months or a significant change in Defendant's financial status, renew its request for twenty-five percent of Defendant's earnings.

11. It is expressly agreed and stipulated to by the parties that the Government may, upon motion, be granted an evidentiary hearing regarding the amount of wages paid to Defendant by the garnishee.

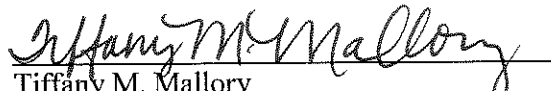
12. Garnishee will continue said payments until the debt to the Plaintiff is paid in full, or until Garnishee no longer has custody, possession or control of any property belonging to Defendant, or until further Order of this Court. See 15 U.S.C. § 1673(a).

13. The parties agree and stipulate that Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

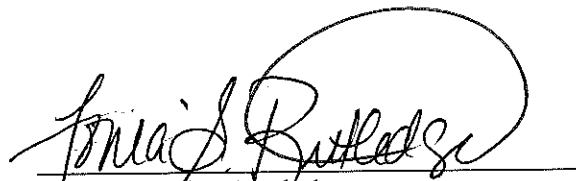
14. The garnishment payments should be made payable to the United States Clerk of Court and mailed to:

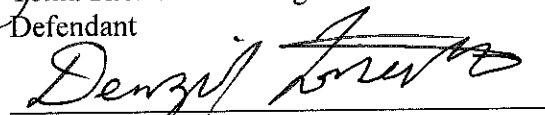
United States Clerk of Court
401 West Trade Street
Charlotte, North Carolina 28202

Respectfully submitted,
JILL WESTMORELAND ROSE
ACTING UNITED STATES ATTORNEY


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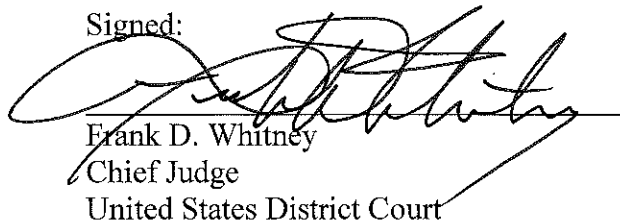
Agreed and Consented to:


Tonia Shondrea Rutledge
Defendant

 06/26/2015
Denzil H. Forrester
Attorney for Defendant

SO ORDERED.

Signed:

A handwritten signature in black ink, appearing to read 'Frank D. Whitney', is written over a horizontal line. The signature is stylized with a large initial 'F' and a long, sweeping underline.

Frank D. Whitney
Chief Judge
United States District Court